

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
March 9, 2011

Mayor Matti Herrera Bower
Vice-Mayor Jonah Wolfson
Commissioner Jorge Exposito
Commissioner Michael Góngora
Commissioner Jerry Libbin
Commissioner Edward L. Tobin
Commissioner Deede Weithorn

City Manager Jorge M. Gonzalez
City Attorney Jose Smith
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

REGULAR AGENDA

R5 - Ordinances

- R5A An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 2, Entitled "Administration," By Amending Article III, Entitled "Agencies, Boards And Committees," By Amending Division 2, Entitled "Disability Access Committee," By Amending Sec. 2-31(d) To Increase The Number Of Members From Seven (7) To Fourteen (14) And Amending The Quorum Requirement; Providing For Codification, Repealer, Severability, And An Effective Date. **10:16 a.m. Second Reading Public Hearing** (Page 221)
(Requested by Commissioner Edward L. Tobin)
(Legislative Tracking: City Clerk's Office)
(First Reading on February 9, 2011 / Referred to NCAC)
- R5B An Ordinance Amending Article III, Division 28 Of The City Code, Entitled "Capital Improvement Projects Oversight Committee;" Amending Section 2-190.127, Entitled "Establishment; Purpose; Membership," By Adding A Non-Voting Ex-Officio Member Who Is Either A Member Of The Disabled Community Or Has Special Knowledge Of Americans With Disabilities Act (ADA) Issues; And Providing For Codification; Repealer; Severability; And An Effective Date. **10:17 a.m. Second Reading Public Hearing** (Page 227)
(Requested by Mayor Matti Herrera Bower)
(Legislative Tracking: City Attorney's Office)
(First Reading on January 19, 2011 / Referred to FCWP)

R5 - Ordinances (Continued)

- R5C An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 2, "Administration," Article II, "City Commission," By Enacting A New Section 2-12, "Meeting Agendas," Requiring Proposed Ordinances That Appear On A City Commission Or Commission Committee Agenda To Have A Commissioner Sponsor Identified; Providing For Repealer; Codification; Severability; And An Effective Date. **10:20 a.m. Second Reading Public Hearing** (Page 233)
(Requested by Vice-Mayor Jonah Wolfson)
(Legislative Tracking: City Attorney's Office)
(First Reading on January 19, 2011 / Referred to LUDC)
- R5D An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 106, "Traffic And Vehicles," Article II, "Metered Parking," Division 1, "Generally" Section 106-55 (h)(2), "Permanent Parking Space Removal" To Amend The Criteria And Procedure For Permanent Parking Space Or Loading Zone Removal, Providing For Codification, Repealer, Severability And An Effective Date. **10:30 a.m. Second Reading Public Hearing** (Page 241)
(Requested by Mayor Matti Herrera Bower)
(Legislative Tracking: Planning Department)
(Continued from January 19, 2011)
- R5E Alton Road Historic District Buffer Overlay
An Ordinance Amending Chapter 142, "Zoning Districts And Regulations," Article III, "Overlay Districts," Creating Division 8 "Alton Road - Historic District Buffer Overlay," By Including Section 142-858 "Location And Purpose," And Section 142-859 "Development Regulations,: Including Among Other Provisions Regulations On Maximum Floor Area Ratio; Maximum Building Height; Minimum Setbacks; Building Separation; Demolition Or Additions To Contributing Buildings In An Historic District; And Land Use Regulations For Location Of Retail Uses, Restaurants, Bars, Entertainment Establishments, Alcoholic Beverage Establishments And Similar Uses; Requiring Conditional Use Approval Of Such Uses In Excess Of 20,000 Sq. Ft.; And Prohibiting Alcoholic Beverage And Entertainment Establishments In Open Areas With Exceptions As Prescribed In The Ordinance. **11:00 a.m. First Reading Public Hearing** (Page 247)
(Requested by City Commission in 2009)
(Legislative Tracking: Planning Department)
(Continued from January 19, 2011/Referred to LUDC)

R7 - Resolutions

- R7A A Resolution Following A Duly Noticed Public Hearing Accepting The Recommendation Of The Historic Preservation Board And Granting A Certificate Of Appropriateness For The Demolition Of The 53rd Street Restrooms, A Non-Contributing Facility Located At 5301 Collins Avenue. **10:15 a.m. Public Hearing** (Page 261)
(Capital Improvement Projects)
- R7B A Resolution Approving The City's Federal Legislative Agenda For The First Session Of The 112th Congress. (Page 267)
(Economic Development)

R7 - Resolutions (Continued)

- R7C A Resolution Approving The Basis Of Design Report For The Miami Beach Convention Center Enhancement And Expansion Master Plan. (Page 273)
(Tourism & Cultural Development)

(Memorandum & Resolution to be Submitted in Supplemental)

- R7D A Resolution Approving A Contract Award, Pursuant To Invitation To Bid No. 07-10/11, For The Right-Of-Way Infrastructure Improvement Program – Neighborhood No. 1 – Biscayne Point; Authorizing The Mayor And City Clerk To Execute An Agreement With David Mancini & Sons, Inc., In The Not-To-Exceed Amount Of \$10,907,759, For The Construction Of The Project, Plus A 10% Project Contingency In The Amount Of \$1,090,776, For A Grand Total Of \$11,998,535; Appropriating \$6,675,401 From Funds Previously Appropriated In The Capital Budget; And Further Appropriating \$5,323,134 From Fund 429 Stormwater Projects Line Of Credit, With Such Funds To Be Repaid From Proposed Future Storm Water Bonds; Further Authorizing The Administration To Engage In Value Engineering To Further Reduce The Cost And Time For Completion Of Said Project. (Page 275)
(Capital Improvement Projects/Procurement)

- R7E A Resolution Terminating The Purchase And Sale Agreement Dated Between The City (Purchaser) And American Riviera Real Estate, LLC. (Seller), For The Real Property Located At 340 23rd Street, Miami Beach, Florida. (Page 299)

(Memorandum & Resolution to be Submitted in Supplemental)

R9 - New Business and Commission Requests

- R9A Board And Committee Appointments. (Page 303)
(City Clerk's Office)

- R9A1 Board And Committee Appointments - City Commission Appointments. (Page 309)
(City Clerk's Office)

- R9B1 Dr. Stanley Sutnick Citizen's Forum. (12:30 p.m.) (Page 319)

- R9B2 Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)

- R9C Discussion Regarding Abandoned Buildings. (Page 321)
(Requested by Commissioner Jorge Exposito)

- R9D Discussion Regarding A Status Update On The City Of Miami Beach Red Light Cameras. (Page 323)
(Requested by Commissioner Jorge Exposito)

R9 - New Business and Commission Requests (Continued)

- R9E Discussion Regarding A Resolution To Waive \$850 Colony Theatre Fee For The Ability Explosion Event For 2011. (Page 325)
(Requested by Commissioner Michael Góngora)
- R9F Discussion Regarding Rabbi Pearlson's Request, For The City Of Miami Beach To Institute The National Moment Of Remembrance. (Page 327)
(Requested by Commissioner Deede Weithorn)
- R9G Discussion Regarding Possible Closing Of The Local Office For Department Of Children & Families At 945 Pennsylvania And Request That Appropriate Authority Maintain This Service On Miami Beach. (Page 331)
(Requested by Vice-Mayor Jonah Wolfson)
- R9H Discussion Regarding Changing The Flamingo Park Master Plan To Include A Bathroom In The Tot Lot; And Discuss The Design Of The Tennis Club House And Tennis Courts. (Page 333)
(Requested by Commissioner Edward L. Tobin)
- R9I Discussion On Including A Monthly Crime Statistics As A Standard Commission Agenda Item. (Page 335)
(Requested by Commissioner Edward L. Tobin)

Reports and Informational Items

Reports and Informational Items (see LTC #051-2011)

End of Regular Agenda